



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.11249 of 2021

Govindappa

... Petitioner

Versus

1.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2.The Inspector of Police,
Anti-Land Grabbing Cell,
Krishnagiri District,
Krishnagiri.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the petitioner's complaint dated 22.03.2021 and file a FIR.

For Petitioner : Mr.R.Jayaprakash

For Respondents: Mr.A.Damodaran
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the 2nd respondent to register the petitioner's complaint dated 22.03.2021 and file FIR.

2. The petitioner sent a complaint, dated 22.03.2021 to the Superintendent of Police, Krishnagiri/first respondent against one Nagaraj, his son Madhu, and one Babu for forcibly attempting to evict him from his agricultural land. Since no action has been taken, the present petition has been filed.

3. A perusal of the complaint, it is seen that the petitioner is a small agriculturist, having an extent of 0.50 cents in Survey No.101/2C2 and he is taking care of his family from the income derived out the said land. In order to pay the loan amount and to construct a house to his daughter, the petitioner intended to sell his land through a land broker,



viz., one Babu from Gee Mangalam Village, to one Nagaraj and his son Madhu. Thereafter, the petitioner entered into an agreement with them to sell the property for a sum of Rs.8,72,000/- and they paid Rs.10,000/- as advance. For the portion of the balance sale consideration, the accused gave two cheques bearing cheque Nos.668060 & 668031 for a sum of Rs.2,00,000/- and Rs.5,00,000/- respectively. When the petitioner presented the same, it was returned with an endorsement "insufficient funds". Later, on enquiry, the petitioner found that the said Babu is in the habit of cheating several persons and already 7 cases were registered against him, for forging cheques, and he had already been arrested and remanded in Jail. Not only the said Nagaraj and his son Madhu failed to make the balance payment, on the other contrary, using the agreement, they are attempting to evict the petitioner forcibly.

4. The learned Government Advocate (Crl.Side) has submitted that there is no such complaint dated 22.03.2021 pending before the first respondent or the second respondent, as stated by the petitioner. Whenever a complaint is received, it is acknowledged and then, the complaint forwarded to the concerned Police for proper enquiry. He further submitted that in this case, no such complaint dated 22.03.2021 has been received.

5. In view of the same, the petitioner is directed to hand over the copy of the complaint to both the first and the second respondent and get proper acknowledgment. Thereafter, the second respondent shall conduct enquiry and dispose of the complaint in the manner known to law. The Investigating Officer to consider the complaint of the petitioner, sympathetically the petitioner is an agriculturist, surviving with his family on the income derived from his cultivation.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

dna

To

1.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.



2.The Inspector of Police,
Anti-Land Grabbing Cell,
Krishnagiri District,
Krishnagiri.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Jayaprakash,Advocate, SR No. 32036

CRL.O.P.No.11249 of 2021

AK II(CO)
B.VC (04/08/2021)